

AMENDMENT UNDER 37 C.F.R. § 1.111
USSN: 09/880,045

Q64919

AMENDMENTS TO THE DRAWINGS

Fig. 1

Attachment: Annotated Sheet(s)
Replacement Sheet(s)

REMARKS

Claims 3-7 and 9 are all the claims pending in the application. Applicants note that the Examiner has reopened prosecution in view of Applicants' August 24, 2005 Appeal Brief.

Claim Rejections - 35 USC § 112

Claim 9 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The Examiner states that the preamble of the claim recites both a storage medium and a system, and it not clear what the claim is directed to. Applicants respectfully submit that the claim is directed to a storage medium storing a control program. As understood by the preamble, the program causes a computer to implement functions of a contents conversion fee charging system. Applicants note that the claim is in proper form.

Claim Rejections - 35 USC § 103

Claims 3-7 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Furst (U.S. Patent No. 6,297,819) in view of Yates et al. (U.S. Patent No. 6,330,586). Applicants note that these two references were previously cited in the rejection of these claims, and were part of the basis of the prior appeal. In particular, Applicants argued for several reasons that Furst does not disclose or suggest a "a translation instructing banner including conversion implementing request information." In this Office Action, the Examiner now states that the translation instructing banner is disclosed by item 116 of Figure 1, and described at col. 4, lines 40-41. Applicants note that neither the Figure itself or the description of item 116 suggest a translation instructing banner as claimed. Rather, item 116 is a component application tool. The component tools monitor a user while the user is browsing the web, and enables a user to obtain

and interact with context-sensitive services and information based on the user's browsing activity (see col. 1, lines 55-67). Further, the application tools run on the user system itself. Thus, there is neither the suggestion of a translation instructing banner, nor a suggestion of a conversion server in Furst.

Applicants further respectfully submit that the "banner" is not a program, but an image included in a web page (HTML file) which a user is browsing. Accordingly, the "banner" cannot run on the user system itself to monitor the user. Instead of the "banner", the browser recognizes the click of the banner and accesses a linked web site.

In the present invention, a "conversion implementing request" is transmitted to a server (web site) by the click on the "banner". In fact, the browser transmits a "conversion implementing request" to a server, in response to the click on the "banner". In contrast, an application tool page disclosed in the Furst reference (Fig. 1, item 116) is a program which runs self-reliantly like a monitor on the user system while the user is browsing, and is displayed outside the browser window (browser page).

In addition, a conversion instructing banner in the claimed invention is arranged in contents (webpage) in the contents server, whereas the Application tool page is not arranged in the web browser window (see Fig. 1). Further, the "blower extensions" recited in the Furst's reference are known for allowing developers to provide easy access to their browser enhancements by adding elements (like an Explorer Bar) to the default user interface. This feature enables developers to create Explorer Bars and add entries into the standard context menus. This feature allows developers to add entries into the Tools menu and buttons to the toolbar. To further define this distinction between the present invention and Furst, Applicants

have amended the claims to recite that the translation instructing banner is a non-programmed conversion instructing banner.

Next, the Examiner states that Furst describes a conversion fee charging processing feature citing col. 10, lines 26-28. However, this section of Furst describes only a subscription feature allowing a user to subscribe to (join) a discussion group. There is no mention of conversion fees or a charging system in Furst. As such, one of ordinary skill in the art would have no reason to look to Yates for usage history and accrued charges. In view of a subscription process not being like a conversion fee charging system, should the application not be passed to issue, the Examiner is kindly requested to further discuss how this feature is disclosed by Furst.

Additionally, Yates discloses a method for charging a user for services rendered, whereas the claimed invention has a feature of charging a contents provider for conversion fees, but not a user.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

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FIG. 1

